United Nations S/2003/266

Security Council

Distr.: General
6 March 2003

Original: English

Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 14 August 2002 (S/2002/956).

The Counter-Terrorism Committee has received the attached supplementary report from the Islamic Republic of Iran, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the text of the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

03-27466 (E) 130303

Annex

Letter dated 19 February 2003 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Upon the instruction of my Government and with reference to your letter dated 17 April 2002, I have the honour to transmit herewith the supplementary report, and its annexes,* of the Islamic Republic of Iran on the implementation of Security Council resolution 1373 (2001) (see enclosure).

(*Signed*) M. Javad **Zarif**
Ambassador
Permanent Representative

* The annexes to the report are with the Secretariat and are available for consultation.

Enclosure

Supplementary report of the Islamic Republic of Iran to the Security Council Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001)

Sub-Paragraphs 1 (a) and (b)

Question:
Please outline the legal provisions which prevent, suppress and criminalize the financing of terrorist acts and provide the CTC with copies thereof.

Answer:
- Combating the financing of terrorism is addressed in the collection of laws and regulations of the Islamic Republic of Iran as follows:

- Article 43 of the Islamic Penal Code stipulates that whoever encourages, incites, threatens or entices (including financing terrorism) another party to commit a crime or facilitate it, whether the action of each of them is adequate for committing the crime or not and whether the effects of their action are equal or not, he/she shall be considered as an accomplice and shall receive the same punishment as the independent perpetrator of the crime. (See annex 1)

- Under Article 610 of the Islamic Penal Code in the case where two or more people come together and collude to act against the internal and external security of the country or acquire means to carry such acts out, they shall be punishable by 2 to 5 years of imprisonment provided that they are not indicted as enemy combatant.

- The draft Anti-Terrorism Act, which is under final considerations in the cabinet of ministers and will be shortly submitted to the Parliament, criminalizes the financing of terrorism and lays down provisions to suppress it.

- The Central Bank of the Islamic Republic of Iran, in implementing the decision made by the Commission of the Government's Economic Headquarters, dated 12 Nov. 2001, and that of the Iranian National Security Supreme Council on combating the financing of terrorism, issued Circular No. 3455 to all banks and non-banking credit institutions under its supervision requiring them to report any account(s), either in local or a foreign currency, belonging to Al-Qaida operatives and/or entities.

- In addition, the bill against money laundering, which is going through its final phases in the Parliament, will play an effective role in strengthening legislative dimension of the campaign against financing terrorism.

- Article 42 of the National Banking and Monetary Act, passed in 1972, has banned any transaction in local currency or foreign exchange without observing the Central Bank's regulations. Upon the request of the Central Bank, the Attorney General may issue an order

closing temporarily the violating institution. In case of the Central Bank's complaint, pertinent courts may sentence the institution to provisional or permanent closure.(See annex 2)

- With a view to suppressing any misuse and impropriety in the monetary and banking operations, the Council on Money and Credit has laid down the regulations that aim at thwarting money laundering. The said regulations have been circulated to monetary and banking authorities across the country through Circular no. 3513 dated 13 November 2002.

Question:
Does the Islamic Republic of Iran have any provision for regulating informal banking networks (e.g. Hawalah)? Please outline such provisions.

Answer:
- Yes. By the virtue of the Banking and Monetary Act, the Central Bank is responsible for supervising banking and monetary operations in the country. Article 30 of the Act stipulates that the establishment of bank and carrying out banking operations or using the word "bank" in the title of credit institutions are permissible only within the provisions envisaged in the Banking and Monetary Act.

- Money transfer (*Hawalah*) in the banking system is carried out on the basis of the relevant regulations. Moreover, particulars of sender and recipient of a money order and subject of transaction should be on the record and legal as well. Any sort of money transfer out of the banking system is illegal.

- The Islamic interest-free funds constitute the most important non-banking monetary operation network. Activities of these funds, which provide applicants with limited interest-free emergency loans, are regulated by the Islamic Interest-Free Funds Act of 1980. Article 2 of the Act has obligated the funds to operate within the Central Bank's rules and regulations. Article 13 of the Act stipulates that Funds are duty-bond to produce their annual statements and submit, if requested, a copy to the Central Bank for inspection. According to Article 16 of the Act, the Central Bank may nullify the licenses of violating funds. To obtain license it is mandatory for all non-banking financial institutions, including the Islamic interest-free funds and charity organizations, to submit their statutes to the national competent financial authorities. Beside State competent financial auditors, non-State bodies, particularly boards of trustees, monitor the operations of non-banking financial institutions.

- The forthcoming ratification by the Parliament of the bill against money laundering will also play an effective role in further subjecting non-official banking activities to the rule of law.

Question:
The CTC is looking forward to receiving a progress report regarding the money laundering legislation the Government of the Islamic Republic of Iran has presented to the Parliament.

Answer:
- The said legislation is under consideration in the Parliament's relevant specialized committee. The different aspects of this legislation are already incorporated in the

above-mentioned regulations circulated by the Council on Money and Credit and are currently being enforced by the relevant authorities in the Iranian banking system.

Sub-Paragraph 1 (c):

Question:
Could the Islamic Republic of Iran please inform the CTC on the measures taken by the Ministry of Justice and the Coordinating National Committee in order to implement sub-paragraph 1(c) of the Resolution?

Answer:
- Combating terrorism financing has been one of the major issues tackled by the National Coordination Committee (NCC), to which the Ministry of Justice is a member. It should be pointed out that the Central Bank of the Islamic Republic of Iran, as a member of the NCC, distributes regularly, based on its Circular No. 3455, issued pursuant to the decisions by the Government's Economic Commission, dated 12 November 2001 and by the National Security Supreme Council, the updated list of individuals and entities belonging to Al-Qaeda and the Taliban to monetary and banking institutions under its supervision, and has instructed them to report back if they detect any accounts, either in local or foreign currency, belonging to the listed individuals and/or entities.

- It should be pointed out that the Ministry of Foreign Affairs of the Islamic Republic of Iran distributes regularly the list containing the names of individuals and entities belonging to the Taliban and Al-Qaeda, issued by the Security Council Committee established pursuant to resolution 1267, to the members of the National Cooperation Committee and other competent authorities requesting them to take appropriate actions.

- Moreover, the Anti-Terrorism Bill and the Fighting Money-Laundering Bill envisage provisions in this respect.

Sub-Paragraph 1 (d):

Question:
Please describe how this sub-paragraph is implemented in the Islamic Republic of Iran.

Answer:
- Under Article 43 of the Islamic Penal Code, legal and real individuals, subject to this sub-paragraph, shall be considered as accomplices in committing criminal acts.

- The legislation on money laundering drafted by the Council on Money and Credit, referred to earlier, also includes specific provisions aimed at thwarting any misuse and impropriety in the monetary and banking operations.

- To counter any sort of abuses in the course of banking and monetary operations, the National Council on Money and Credit has laid down regulations to prevent money laundering. The regulations were circulated to the relevant monetary and banking authorities through Circular No.3513 of 13.11.2002.

Question:
Could you please elaborate on the preventive controls and surveillance measure which the Islamic Republic of Iran has put in place in order to ensure that funds intended for financing of terrorism are not transferred through charitable, religious or cultural organizations?

Answer:
- Please refer to the answers relating to Sub-Paragraphs 1 (a) and (b).

Sub-Paragraph 2 (a):

Question:
Please provide the CTC with additional information regarding legal, administrative and other measures in existence or proposed to be taken in order to suppress the recruitment of members of terrorist groups.

Answer:
- Under Clause 5 of Article 156 of the Constitution, legal authorities shall suppress the recruitment by terrorist groups by enforcing crime-preventing mechanisms.

- Under Article 498 of the Islamic Penal Code, whoever, holding any belief, establishes or leads a group, or its affiliates, of more than two people, inside or outside Iran, under any name or title, with the aim of perturbing the security of the country, other than those considered to be "enemy combatants", shall be subject to 2-10 years of imprisonment.

- Under Article 499 of the above-mentioned Code, anybody becomes member of those groups or their affiliates, referred to in Article 498, shall be sentenced to 3 months to 5 years of imprisonment, unless it is established that she/he has been unaware of group's objectives. In addition, recruiting to this effect constitutes a crime in the first place.

- Under Article 507 of the Islamic Penal Code, members of the groups referred to in Article 499 of this Code who cooperates with the legal authorities in identifying criminals or their criminal intentions shall receive pardons.

- Under Article 512 of the Islamic Penal Code, whoever entices or instigates people to wage war or commit murder (including directing them to perpetrate terrorist acts) with a view to perturbing the security of the State, even if the act does not lead to murder or plunder, shall be sentenced to 1-5 years of imprisonment.

- In conformity with the law of the land, the security and police forces of the Islamic Republic of Iran have adopted special security and protective measures in the western and eastern border regions to suppress activities by terrorist groups, including the recruitment of new members.

- In this connection, we categorically reject the baseless claims made against the Islamic Republic of Iran by the Iraqi government, in its second report to the CTC, contained in document no. S/2002/943 of 19 Aug. 2002, alleging that Iran has provided safe haven to the members of the Supreme Council for Islamic Revolution in Iraq, the Badr Corps and the Islamic Da'wa, whom the Iraqi regime considers to be terrorists. It should also be noted that not only the Iraqi Government expelled hundreds of thousands of Iraqis of

allegedly Iranian origin in the past three decades, but also in the course of the Iraqi imposed war on the Islamic Republic of Iran tens of thousands of Iraqis sought refuge in Iran as a result of repression as well as political, social and economic instability in Iraq. Moreover, none of the afore-mentioned groups are considered to be terrorists by the international community either.

- The above-mentioned baseless allegations are leveled despite the fact that the Iraqi government has provided, since long ago, safe haven to terrorist groups acting against the Islamic Republic of Iran, particularly the Mojahedin Khalgh Organization (MKO), which is specifically recognized by the international community as a terrorist group. This group enjoys political, financial, logistic and military support from the Iraqi government. Please refer to Articles 11 and 12 of the first national report of the Islamic Republic of Iran to the CTC, contained in document No. S/2001/1332, where more details on the presence and activities of the terrorist MKO in Iraq is provided.

- The presence and activities of the terrorist MKO in Iraq is in contravention of the international obligations of the Iraqi Government, including specifically paragraph 32 of Security Council resolution 687(1991), in which Iraq is required " to inform the Council that it will not commit or support any act of international terrorism or allow any organization directed towards commission of any such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism."

Question:
What measures does the Islamic Republic of Iran have to prevent terrorists from obtaining weapons in its territory, in particular small arms or light weapons? What is the Islamic Republic of Iran's legislation, including as regards export controls, concerning the acquisition and possession of weapons?

Answer:
- The Act, adopted on 15 February 1971, intensifying the punishment for traffickers in arms and munitions and armed traffickers regulates purchase, sale, keeping, import and export of arms, war munitions, explosives, combustibles, hunting guns and bullets and lays down punishment for violators.

- Under Paragraphs 7 and 8 of Article 4 of the Law Enforcement Force of the Islamic Republic of Iran, passed by the Parliament on 14 July 1990, the collection of arms, munitions, illegal equipment as well as the issuance of permits enabling individuals to own and carry personal arms and the supervision over authorized holding and using of flammables objects are within the purview of the law enforcement force.

- It should be noted that all trades in arms by the Islamic Republic of Iran take place exclusively with governments and, therefore, in conformity with all international laws, including UN mandated embargoes.

Question:
Please outline the measures, both legislative and practical, preventing entities and individuals from recruiting, collecting funds or soliciting other forms of support for terrorist activities to be carried out inside or outside the Islamic Republic of Iran, including, in particular:

- *The carrying out, within or from the Islamic Republic of Iran, of recruiting, collecting of funds and soliciting of other forms of support from other countries; and*

- *Deceptive activities such as recruitment based on a representation to the recruit that the purpose of the recruitment is one (e. g teaching) different from the true purpose and collection of funds through front organizations.*

Answer:

- Article 4 of the Islamic Penal Code stipulates that if part of a crime takes place in Iran and its consequence occurs outside Iranian territory, or part of a crime is committed inside or outside Iran, and its consequence happens inside Iran, it shall be considered as a crime committed in Iran.

- Furthermore, Articles 498, 499, 507 and 512 of the Islamic Penal Code cover the cases referred to in the question. In this respect, Article 512 of the Islamic Penal Code stipulates that whoever entices or instigates people to wage war or commit murder (including directing them to terrorist acts) with a view to perturbing the security of the State, shall be sentenced to 1-5 years of imprisonment, no matter his/her act leads to loss of life and plunder or not.

- Law enforcement agencies and security forces are also competent to deal with these cases.

Sub-paragraph 2 (b) :

Question:
Which are the institutions responsible for providing early warning to other States in the Islamic Republic of Iran?

Answer:

- Ministries of Intelligence and Interior and law enforcement and security agencies are in cooperation with a number of countries with a view to fighting terrorism, organized crimes, trafficking in drug and arms. They have also developed mechanisms, through bilateral relations, for bilateral cooperation, including the exchange of information and the establishment of warning systems.

Sub-Paragraphs 2 (c), (d) & (f) :

Question :
Please explain the legal and institutional framework to comply with Sub-Paragraphs 2 (c), (d) & (f) of the resolution and provide the CTC with the relevant legal provisions.

Answer:

- The Act governing the entry into and residence of foreign nationals in Iran, passed on 9 May 1931 by the Iranian Parliament, and the amendments thereof restrict the entry into and residence of criminals and those involved in illegal activities in Iran.

- Under the provisions of Article 5 of an executive order on refugees, passed by the cabinet of ministers in 16 December 1966, the refuge status shall not be granted to individuals who have committed war crimes or crimes against peace or humanity or aggravated crime against public rights. Article 4 of the same executive order makes, inter alia, the grant of asylum contingent upon lack of ill intention harbored by the applicant. (See annex 3)

- Under Article 520 of the Islamic Penal Code, whoever commits an act of espionage for an foreign State against another foreign State on the territory of the Islamic Republic of Iran, which could result in damaging the national security of Iran, shall be sentenced to 1-5 years of imprisonment.(See annex 4)

- The Islamic Republic of Iran, intent on cooperating with foreign countries for combating criminal acts, has concluded mutual legal assistance agreements with a number of countries, including Russia, Azerbaijan and Syria. Moreover, Iran signed extradition agreements with Pakistan, France, Uzbekistan and Azerbaijan. Negotiations are also underway to conclude similar agreements with a number of other countries.

Sub-Paragraph 2 (e):

Question:
Please provide the CTC with an outline of the relevant legal provisions which are instrumental in implementing this sub-paragraph.

Answer:
- Under Article 183 of the Islamic Penal Code, whoever resorts to arms to wage terror and panic and perturb peace and security shall be considered as "enemy combatant".

- Those covered by this sub-paragraph are considered to be accomplices in acts of terrorism. According to Articles 42 and 43 of the Islamic Penal Law, an accomplice to a crime shall be considered to be culprit and the punishment may be the same as for the main perpetrator(s) of crime.

- Please refer also to the content of the response to question on Sub-Paragraph 2 (a) (Article 512 of the Islamic Penal Code).

Question:
Please outline provisions in the penal legislation of the Islamic Republic of Iran which criminalize all terrorist acts committed abroad by an Iranian citizen or by a person having his or her habitual residence in the Islamic Republic of Iran and which give jurisdiction to its courts over such persons?

Answer:
- Article 7 of the Islamic Penal Code stipulates that any Iranian who commits a crime outside Iran and is later arrested in Iran shall be tried according to the Penal Code of the Islamic Republic of Iran.

- Under Article 4 of the same Code, if part of a crime takes place in Iran, and its consequence occurs outside Iranian territory, or part of a crime is committed in or

outside Iran and its result happens in Iran, it will be considered as an crime committed in Iran.

- Under Article 5 of the afore-mentioned Code, any Iranian or alien who commits one of the crimes subject to this Article, including the perpetration of an act against the Islamic Republic of Iran and its internal/external security, territorial integrity and independence, and then she/he is found in or extradited to Iran, shall be put to trial in accordance with the Penal Law of the Islamic Republic of Iran. It should be pointed out that the word crime includes acts of terrorism and the like.

- Moreover, the Punishing Perpetrators of Crimes Against Foreign Countries Act, passed in 1971, stipulates that the cabinet of ministers may, on a reciprocal basis, enforce the entire or part of the law covering crimes against the national security, provided for by the penal codes, in dealing with crimes committed in Iran against other countries.

Question:
Are there provisions in the legislation of the Islamic Republic of Iran which criminalize terrorist acts committed by foreigners and give jurisdiction to the Iranian courts over such persons if and when they happen to be in the Islamic Republic of Iran?

Answer:
- Yes. In addition to Article 5 of the Islamic Penal Code, to which reference was made earlier, Article 8 of the Islamic Penal Code stipulates that crimes subject to certain laws or international agreements shall be prosecuted in accordance with laws of the country where the criminal is arrested. Therefore, if the arrest takes place in Iran, the criminal shall be prosecuted in accordance with the Iranian laws.

Sub-Paragraph 2 (g) :

Question:
Please explain how the procedures for the issuance of identity papers and travel documents support the prevention of the counterfeiting, forgery or fraudulent use of those documents and what measures exist to prevent their forgery etc.

Answer:
- Paragraph 11 of Article 4 of the Iranian Law Enforcement Force Code entrusts the enforcement of laws and regulations on passports, entry/exit and residence of foreign citizens to the Iranian Law Enforcement Force.

- Article 46 of the Public Accounts Act has entrusted printing of different types of stamps, governmental papers, passports and national ID cards to the bank-note print house of the Central Bank or the print house of another governmental bank, under supervision of a board comprising of two representatives of the Minister for Finance and Economic Affairs, representative of the Prosecutor General, representative of the Auditor General and one person representing the Islamic Consultative Assembly [the Parliament].

- Article 15 of the Foreign Nationals Entry into and Residence in Iran Act, of 9 May 1931, stipulates that the following offenders are liable to punishment:

- *Para 1:* Whoever counterfeits passport, residence permit, laissez-passer or uses forged documents knowingly or counterfeits such documents for others;

- *Para 2:* Whoever deliberately gives a false testimony or unreal information to officials at border entry points or conceals matters effective in revealing his/her identify with a view to acquiring passport or laissez-passer or uses documents produced in such a way;

- *Para 3:* Whoever deliberately crosses Iranian borders without holding the required documents or crosses restricted borders of Iran by illegal means;

- *Para 4:* Whoever uses documents of other people to prove his/her identity or nationality, and whoever makes available his/her or a third party's identification documents to falsify identity or nationality of a foreigner;

- *Para 5:* Any foreigner who hides to avoid deportation or makes an illegal entry into Iran after having been deported;

- *Para 6:* whoever participates in or being accessory to one of the above-mentioned law-breaking acts.

- Under the provisions of the afore-mentioned Act, commencing any act referred to above shall be tantamount to having completed it.

Additional relevant provisions are as follows:

- The Crimes, Offenses and Punishments for Counterfeiting Documents and National IDs Act, passed on 27 July 1991, stipulates severe punishments for counterfeiting of ID documents of any type, with whatever motivation.

- Paragraph (c) of Article 1 of the Human Trafficking Act, passed on 7 October 1988, stipulates a term of 2-4 years of imprisonment for human trafficking, especially if the trafficked person is a convict or indictee. The handling of such cases fall within the jurisdiction of the criminal court.

- Paragraph (b) of the same Article envisages 2-8 years of imprisonment and cash fine for trafficking in smugglers and those barred from entry/exit into and from Iran. Under Paragraph (a) of the Article, such trafficking may be considered as "an act of war against the Islamic State" which may receive capital punishment.

- Chapter 5 of the Islamic Penal Code (Articles 523 to 542) covers different cases and aspects of crimes in connection with document forgery and relevant punishment. Under Article 525 of the Act, counterfeiters subject to the provisions of the Act will receive 1-10 years of imprisonment and shall recompense damages.

- Article 537 of the Islamic Penal Code stipulates that duplicated copies of IDs, personal identification cards, public and governmental certificates and similar documents shall bear a sign or stamp indicating they are duplicates.

- Beside the mentioned Acts, many other regulations and rules of procedures are also being enforced by the competent authorities to monitor, control and prevent such crimes.

Question:
Please provide CTC with information on the mechanism for inter-agency cooperation between the authorities responsible for narcotics control, financial tracking and security with particular regard to the border control preventing the movement of terrorists?

Answer:
- The competent national authorities and agencies who are entrusted with fighting against the afore-mentioned criminal acts have streamlined their activities and enhanced their cooperation, coordination and exchange of information through mechanisms such as the National Steering Committee, the State Security Council and the Headquarters for Combating Drug Trafficking (under the President). This coordination presently is carried out through the pertinent provincial authorities, including each province's and cities' security council. The coordination is made at a higher level of seriousness and accuracy in border provinces.

- To suppress border crossing of terrorist elements, the Islamic Republic of Iran has taken a number of measures to reinforce border control and border entry/exit points, which were partly reflected in the report of the Islamic Republic of Iran on the implementation of Security Council resolution 1390, contained in document no. S/AC.37/200/69 of 15 July, 2002.

Sub-Paragraphs 3 (a) & (b):

Question:
Apart from the High Security Commission established with Turkey, is there an institutional mechanism for implementing Sub-Paragraphs 3 (a) & (b) of the resolution?

Answer:
- The Ministry of Interior, the Ministry of Intelligence and the Ministry of Foreign Affairs exchange information on the relevant issues with other countries directly or through the Armed Forces and the law enforcement and security agencies in coordination with the National Security Supreme Council. In this connection, the Law Enforcement Force of the Islamic Republic of Iran has established close contact and cooperation with the INTERPOL.

Sub-Paragraph 3 (c) :

Question:
Has the Islamic Republic of Iran entered into bilateral agreements to prevent and suppress terrorist attacks and take action against perpetrators of such acts?

Answer:
- To suppress organized crimes, terrorism and drug trafficking, the Islamic Republic of Iran has signed cooperation agreements and memorandums of understanding with Afghanistan, Russia, Georgia, Uzbekistan, Tajikistan, Austria, Italy , Greece, Turkey, Saudi Arabia, Syria, Kazakhstan ,Pakistan, Kuwait and Azerbaijan. Negotiations and consultations are under way to conclude such documents with a number of other countries.

Question:
In particular, the CTC would be grateful to know with which countries the Islamic Republic of Iran has entered into bilateral treaties on extradition and mutual legal assistance.

Answer:
- The Islamic Republic of Iran has signed bilateral agreements on extradition and legal assistance with Russia, Pakistan, France, Azerbaijan and Syria. Negotiations are under way for concluding similar agreements with other countries.

- In addition, there is an overarching Act governing Extradition of criminals, passed on 4 June 1960, under whose article 1 even in the absence of a bilateral extradition agreement, the provisions of the Act could be enforced on a reciprocal basis.

Sub-Paragraph 3 (d) :

Question:
The CTC would welcome a progress report, in particular, in relation to the international conventions and protocol relating to terrorism, on:
- *Becoming a party to the instruments to which the Islamic Republic of Iran is not yet a party ; and*
- *Enacting legislation and making other necessary arrangements to implement those to which it is a party.*

Answer:
- The conventions the Islamic Republic of Iran is not a party to are presently under consideration. However, the following laws of the Islamic Republic of Iran cover the subjects and issues addressed by the international conventions and protocols to which the I. R. Iran has acceded and other conventions it is not yet a party thereto:

  1. The Islamic Penal Code of 1991 and 1996.
  2. The National Aviation Act of 1949.
  3. The Extradition Act of 1960.
  4. The Punishment of Perpetrators of Misdemeanor & Felony against other Countries Act 1971.
  5. The Punishments for Saboteurs in Industries Act of 1974.
  6. The Punishment for Saboteurs in Aircraft Safety and Sabotage in the Equipments & Facilities of Airlines Act of 1970.
  7. The Punishment for Kidnapping Act of 1975.

- Moreover, there are other relevant laws and regulations in the Islamic Republic of Iran covering the combating of terrorism, titles of which were annexed to the first report of the Islamic Republic of Iran pursuant to Security Council resolution1373, contained in document no. S/2001/1332.

- It should be pointed out that under Article 9 of the Iranian Civil Code, the provisions of all international conventions and protocols that the Islamic Republic of Iran has acceded to and ratified by the parliament, are legally binding.

Sub-Paragraph 3 (e) :

Question:
Have the offences set forth in the relevant international conventions and protocols relating to terrorism been included as extraditable offences in the bilateral treaties to which the Islamic Republic of Iran is a party?

Answer:
- Yes, they have.

Sub-Paragraphs 3 (f) & (g):

Question:
Please provide the CTC with the relevant legal provisions to implement Sub-Paragraphs 3 (f) & (g) of the resolution.
Do the legislations of the Islamic Republic of Iran ensure that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists?

Answer:
- Under Article 4 of the Refugees Rule, passed on 16 Dec.1963, the granting of the refugee status is contingent upon the lack of ill intentions on the part of refuge seekers. Note 5 of the Rule stipulates that perpetrators of war crimes or offences against peace and humanity or severe public crimes shall not benefit from the provisions of this Rule.

- Paragraph 2 of Article 8 of the Extradition Act envisages that assassination or assassination attempts do not constitute a political offence. Inasmuch as assassination attempt is an explicit instance of terrorism, in a case where an offence involves assassination or assassination attempt, and the culprit, seeking political asylum, claims political motives, whereas the evidence produced by the extradition-seeker government satisfies the competent court, the application of the asylum-seeker shall not be accepted and he/she shall be extradited.

- Article 180 of the Third National Plan of the Islamic Republic of Iran for Economic, Social, and Cultural Development stipulates to explore ways and means for tackling the issues addressed in Sub-Paragraph 3 (f) & (g).

Paragraph 4:

Question:
Has the Islamic Republic of Iran addressed any of concerns expressed in paragraph 4 of the resolution?

Answer:
- Considering the close link between organized crimes and terrorism, especially with regard to funding terrorist activities, and in view of large-scale activities of drug trafficking networks in the region, the Islamic Republic of Iran has undertaken extensive measures to suppress such crimes particularly drug trafficking, which have always been recognized and appreciated by the international community. In this respect, the Islamic

Republic of Iran has suffered the loss of around 3000 law enforcement officers' lives and incurred huge damage.

- To suppress organized crimes, especially drug trafficking, the Islamic Republic of Iran has entered into cooperation with many countries as well as regional and international organizations, particularly UNDCP. And besides signing different agreements, it has organized numerous seminars and specialized courses.

- Recognizing the threats of weapons of mass destruction, and in order to strengthen the relevant international regime, the Islamic Republic of Iran has acceded to most conventions and treaties governing the disarmament and non-proliferation of weapons of mass destruction. The list of the international instruments which Iran has signed or both signed and ratified are as follows:

  - Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare ratified in 1929.

  - Limited Test Ban Treaty ratified in 1964.

  - Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, signed in 1967.

  - Non-Proliferation Treaty, ratified in 1970.

  - Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof, ratified in 1971.

  - Biological and Toxin Weapons Convention, ratified in 1973.

  - Convention on Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, ratified in 1998.

  - Comprehensive Nuclear-Test-Ban Treaty signed in 1996.

- The Islamic Republic of Iran has always underlined the threat of weapons of mass destruction in international forums and in its contacts with other countries. It has also initiated the idea of "Nuclear Weapon Free Zone in the Middle East" within of the UN.

- The Atomic Energy Organization of the Islamic Republic of Iran is entrusted, by law, with controlling and supervising export and import of all radioactive and radio-isotopes materials.

- Following the accession of the Islamic Republic of Iran to the Chemical Weapons Convention (CWC) and through coordination made with the Organization for Prohibition of Chemical Weapons (OPCW), the Customs of the Islamic Republic of Iran controls and supervises export and import of all chemical weapons mentioned in the CWC.

Towards suppressing organized crimes including terrorism, drug trafficking, bank note and government documents counterfeiting, trafficking in arms, munitions and explosives, money laundering and illegal immigration, the Islamic Republic of Iran has concluded bilateral arrangements with a number of countries including Afghanistan, Russia, Georgia, Uzbekistan, Tajikistan, Austria, Italy, Greece, Turkey, Saudi Arabia, Syria, Kazakhstan, Pakistan, Kuwait and Azerbaijan. In the relevant documents, emphasis is put on bilateral, regional and international cooperation and coordination with a view to suppressing the above-mentioned criminal acts.